

**SENATE JOURNAL
63RD LEGISLATURE
SEVENTY-NINTH LEGISLATIVE DAY**

Helena, Montana
April 15, 2013

Senate Chambers
State Capitol

Senate convened at 11:00 a.m. President Essmann presiding. Invocation by Father Jerry Lowney. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Senators Hamlett, Olson, Tutvedt, Van Dyk, and Vincent, excused. Quorum present.

BILLS AND JOURNALS (Buttrey, Chair):

4/15/2013

Correctly printed: **SR 46, SR 48, SR 55, HB 262, HB 579.**

Correctly engrossed: **SB 410, HB 5, HB 6, HB 13, HB 408, HB 414, HB 420, HB 447, HB 574, HB 580, HB 586, HB 604, HB 623, HB 627.**

Correctly enrolled: **SB 84, SB 94, SB 114, SB 138, SB 158, SB 160, SB 183, SB 191, SB 250, SB 275, SB 301, SB 302, SB 324, SB 325, SB 336, SB 337, SB 357, SR 34, SR 41, SR 44, SR 45, SR 50, SR 54.**

Transmitted to the House: **HB 4, HB 10, HB 11, HB 86, HB 116, HB 254, HB 320, HB 355, HB 363, HB 401, HB 444, HB 498, HB 575, HB 582, HB 583.**

Signed by the Secretary of the Senate at 9:05 a.m., April 15, 2013: **SB 20, SB 107, SB 112, SB 127, SB 144, SB 179, SB 200, SB 236, SB 242, SB 269, SB 294.**

Signed by the President at 10:15 a.m., April 15, 2013: **SB 20, SB 107, SB 112, SB 127, SB 144, SB 179, SB 236, SB 242, SB 294.**

MESSAGES FROM THE OTHER HOUSE

Senate bills concurred in and returned to the Senate:

4/13/2013

SB 84, introduced by Kaufmann

SB 158, introduced by Thomas

SB 191, introduced by T. Brown

SB 203, introduced by Buttrey

SB 301, introduced by Murphy

SB 302, introduced by Arntzen

SB 357, introduced by Facey

Senate bill concurred in as amended and returned to the Senate for concurrence in House amendments:

4/13/2013

SB 348, introduced by Thomas

SENATE JOURNAL
SEVENTY-NINTH LEGISLATIVE DAY - APRIL 15, 2013

SB 101 - The House acceded to the request of the Senate and authorized the Speaker to appoint the following **Free** Conference Committee to meet with a like committee from the Senate to confer on **SB 101**:

4/13/2013

Representative Flynn, Vice Chair
Representative Jacobson
Representative Welborn

SB 133 - The House acceded to the request of the Senate and authorized the Speaker to appoint the following Conference Committee to meet with a like committee from the Senate to confer on House amendments to **SB 133**:

4/13/2013

Representative Wagoner, Vice Chair
Representative G. Bennett
Representative MacDonald

SB 26 - The House acceded to the request of the Senate and authorized the Speaker to appoint the following Conference Committee to meet with a like committee from the Senate to confer on House amendments to **SB 26**:

4/13/2013

Representative Regier, Vice Chair
Representative Kary
Representative Steenberg

House joint resolution passed and transmitted to the Senate for concurrence: 4/13/2013

HJR 20, introduced by Dudik

HB 450 - The House failed to concur in Senate amendments to **HB 450**, authorized the Speaker to appoint the following **Free** Conference Committee, and requested that the Senate appoint a like committee to confer on **HB 450**:

4/13/2013

Representative Hagan, Vice Chair
Representative Reichner
Representative Boland

Senator Van Dyk and Senator Vincent now present.

FIRST READING AND COMMITMENT OF BILLS

The following House joint resolution was introduced, read first time, and referred to committee:

HJR 20, introduced by Dudik, Court, Gibson, referred to Judiciary.

SENATE JOURNAL
SEVENTY-NINTH LEGISLATIVE DAY - APRIL 15, 2013

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Senator Wittich moved the Senate resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Senator D. Brown in the chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

Senator Olson and Senator Tutvedt present at this time.

HB 574 - Senator T. Brown moved **HB 574** be concurred in.

HB 574 - Senator T. Brown moved **HB 574**, second reading copy, be amended as follows:

1. Page 7, line 13.

Strike: "A RAW" through "PURSUANT TO"

Amendment adopted as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Jackson, Jergeson, Jones, Kaufmann, Keane, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Priest, Ripley, Rosendale, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tutvedt, Vincent, Vuckovich, Walker, Webb, Windy Boy, Mr. President.

Total 41

Nays: Barrett Dick, Blewett, Jent, Sales, Tropila, Van Dyk, Wanzenried, Wittich.

Total 8

Absent or not voting: None.

Total 0

Excused: Hamlett.

Total 1

HB 574 - Senator T. Brown moved **HB 574**, as amended, be concurred in. Motion carried as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Jackson, Jones, Keane, Larsen, Malek, Moore, Murphy, Olson, Phillips, Priest, Ripley, Rosendale, Sales, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tutvedt, Vincent, Vuckovich, Walker, Webb, Windy Boy, Wittich, Mr. President.

Total 39

SENATE JOURNAL
SEVENTY-NINTH LEGISLATIVE DAY - APRIL 15, 2013

Nays: Barrett Dick, Blewett, Jent, Jergeson, Kaufmann, Lewis, Peterson, Tropila, Van Dyk, Wanzenried.

Total 10

Absent or not voting: None.

Total 0

Excused: Hamlett.

Total 1

HB 630 - Senator Malek moved **HB 630** be concurred in. Motion carried as follows:

Yeas: Augare, Barrett Dick, Blewett, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Jackson, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Lewis, Malek, Murphy, Phillips, Sesso, Stewart-Peregoy, Taylor, Tropila, Van Dyk, Vuckovich, Wanzenried, Windy Boy, Mr. President.

Total 30

Nays: Arntzen, Arthun, Barrett Debby, Boulanger, Brenden, Moore, Olson, Peterson, Priest, Ripley, Rosendale, Sales, Sonju, Thomas, Tutvedt, Vincent, Walker, Webb, Wittich.

Total 19

Absent or not voting: None.

Total 0

Excused: Hamlett.

Total 1

Senator Hamlett present at this time.

HB 12 - Senator Webb moved **HB 12** be concurred in. Motion carried as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Boulanger, Brenden, T. Brown, Buttrey, Caferro, Driscoll, Facey, Hamlett, Jackson, Jent, Jergeson, Kaufmann, Keane, Larsen, Malek, Murphy, Olson, Peterson, Phillips, Rosendale, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vuckovich, Walker, Wanzenried, Webb, Windy Boy, Mr. President.

Total 39

Nays: Blewett, D. Brown, Fielder, Jones, Lewis, Moore, Priest, Ripley, Sales, Vincent, Wittich.

Total 11

Absent or not voting: None.

Total 0

SENATE JOURNAL
SEVENTY-NINTH LEGISLATIVE DAY - APRIL 15, 2013

Excused: None.

Total 0

HB 15 - Senator L. Jones moved **HB 15** be concurred in. Motion carried as follows:

Yeas: Augare, Barrett Dick, Boulanger, Brenden, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Ripley, Rosendale, Sesso, Stewart-Peregoy, Thomas, Vuckovich, Wanzenried, Windy Boy.

Total 32

Nays: Arntzen, Arthun, Barrett Debby, Blewett, D. Brown, Jackson, Priest, Sales, Sonju, Taylor, Tropila, Tutvedt, Van Dyk, Vincent, Walker, Webb, Wittich, Mr. President.

Total 18

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 354 - Senator Lewis moved **HB 354** be concurred in. Motion carried as follows:

Yeas: Arntzen, Augare, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Facey, Fielder, Hamlett, Jackson, Jones, Keane, Larsen, Lewis, Moore, Murphy, Olson, Priest, Ripley, Rosendale, Sesso, Stewart-Peregoy, Taylor, Tropila, Van Dyk, Vincent, Walker, Webb, Windy Boy, Wittich, Mr. President.

Total 32

Nays: Arthun, Barrett Debby, Barrett Dick, Blewett, Boulanger, Driscoll, Jent, Jergeson, Kaufmann, Malek, Peterson, Phillips, Sales, Sonju, Thomas, Tutvedt, Vuckovich, Wanzenried.

Total 18

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 586 - Senator Brenden moved **HB 586** be concurred in.

HB 586 - Senator Ripley moved **HB 586**, second reading copy, be amended as follows:

1. Title, page 1, line 11 through line 12.

Strike: "TRANSFERRING MONEY FROM THE" on line 11 through "STATE GENERAL FUND;"

SENATE JOURNAL
SEVENTY-NINTH LEGISLATIVE DAY - APRIL 15, 2013

on line 12

2. Title, page 1, line 12 through line 13.

Following: "APPROPRIATION" on line 12

Strike: remainder of line 12 through "APPROPRIATION" on line 13

3. Title, page 1, line 13.

Strike: "15-1-122, 17-7-502,"

4. Title, page 1, line 15.

Strike: "AND A TERMINATION DATE"

5. Page 3, line 5 through page 6, line 5.

Strike: sections 2 and 3 in their entirety

Renumber: subsequent sections

6. Page 7, line 27.

Following: "account"

Strike: "-- statutory appropriation"

7. Page 8, line 3 through line 4.

Following: "used"

Strike: remainder of line 3 through "part" on line 4

Insert: "for projects that prevent or control any nonnative, aquatic invasive species pursuant to this part"

8. Page 8, line 10 through line 14.

Strike: subsection (6) in its entirety

9. Page 12, line 19.

Following: "Appropriation."

Insert: "(1)"

10. Page 12, following line 21.

Insert: "(2) For the biennium beginning July 1, 2013, there is appropriated to the department of natural resources and conservation \$300,000 from the general fund for projects that prevent or control any nonnative, aquatic invasive species pursuant to 80-7-1004."

11. Page 12, line 28.

Strike: "13"

Insert: "11"

12. Page 12, line 30.

Strike: section 16 in its entirety

SENATE JOURNAL
SEVENTY-NINTH LEGISLATIVE DAY - APRIL 15, 2013

Amendment adopted as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Lewis, Malek, Murphy, Olson, Peterson, Phillips, Ripley, Rosendale, Sales, Sesso, Sonju, Stewart-Peregoy, Thomas, Tropila, Tutvedt, Vincent, Vuckovich, Walker, Webb, Windy Boy, Mr. President.

Total 44

Nays: Moore, Priest, Taylor, Van Dyk, Wanzenried, Wittich.

Total 6

Absent or not voting: None.

Total 0

Excused: None.

Total 0

Senator Vuckovich excused at this time.

HB 586 - Senator Brenden moved **HB 586**, as amended, be concurred in. Motion carried as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Priest, Ripley, Rosendale, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Walker, Wanzenried, Webb, Windy Boy, Wittich, Mr. President.

Total 48

Nays: Sales.

Total 1

Absent or not voting: None.

Total 0

Excused: Vuckovich.

Total 1

Senator Vuckovich present at this time.

HB 625 - Senator Caferro moved **HB 625** be concurred in. Motion carried as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Hamlett, Jackson, Jent, Jergeson, Jones, Kaufmann,

SENATE JOURNAL
SEVENTY-NINTH LEGISLATIVE DAY - APRIL 15, 2013

Keane, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Ripley, Rosendale, Sesso, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vuckovich, Wanzenried, Webb, Windy Boy, Mr. President.

Total 42

Nays: Boulanger, Fielder, Priest, Sales, Sonju, Vincent, Walker, Wittich.

Total 8

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 298 - Senator Brenden moved **HB 298** be concurred in. Motion **failed** as follows:

Yeas: Arntzen, Barrett Debby, Brenden, T. Brown, Caferro, Fielder, Hamlett, Jergeson, Keane, Peterson, Taylor.

Total 11

Nays: Arthun, Augare, Barrett Dick, Blewett, Boulanger, D. Brown, Buttrey, Driscoll, Facey, Jackson, Jent, Jones, Kaufmann, Larsen, Lewis, Malek, Moore, Murphy, Olson, Phillips, Priest, Ripley, Rosendale, Sales, Sesso, Sonju, Stewart-Peregoy, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Wanzenried, Webb, Windy Boy, Wittich, Mr. President.

Total 39

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 298 - Senator Wittich moved **HB 298** be **indefinitely postponed**. Motion carried as follows:

Yeas: Arthun, Augare, Barrett Dick, Blewett, Boulanger, D. Brown, T. Brown, Buttrey, Driscoll, Facey, Jackson, Jent, Jones, Kaufmann, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Priest, Ripley, Rosendale, Sales, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Wanzenried, Webb, Windy Boy, Wittich, Mr. President.

Total 42

Nays: Arntzen, Barrett Debby, Brenden, Caferro, Fielder, Hamlett, Jergeson, Keane.

Total 8

SENATE JOURNAL
SEVENTY-NINTH LEGISLATIVE DAY - APRIL 15, 2013

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 609 - Senator Facey moved **HB 609** be concurred in. Motion carried as follows:

Yeas: Arntzen, Augare, Barrett Dick, Blewett, Brenden, D. Brown, T. Brown, Caferro, Driscoll, Facey, Hamlett, Jackson, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Lewis, Malek, Murphy, Peterson, Phillips, Priest, Sesso, Stewart-Peregoy, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Wanzenried, Windy Boy, Mr. President.

Total 34

Nays: Arthun, Barrett Debby, Boulanger, Buttrey, Fielder, Moore, Olson, Ripley, Rosendale, Sales, Sonju, Taylor, Thomas, Walker, Webb, Wittich.

Total 16

Absent or not voting: None.

Total 0

Excused: None.

Total 0

Senator Facey rose on a point of parliamentary procedure.

SJR 26 - Senator Arntzen moved **SJR 26** do pass. Motion carried as follows:

Yeas: Arntzen, Arthun, Augare, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Driscoll, Facey, Hamlett, Jergeson, Jones, Keane, Larsen, Lewis, Murphy, Peterson, Priest, Rosendale, Sesso, Sonju, Stewart-Peregoy, Thomas, Tutvedt, Van Dyk, Vuckovich, Webb, Windy Boy, Mr. President.

Total 30

Nays: Barrett Debby, Barrett Dick, Blewett, Caferro, Fielder, Jackson, Jent, Kaufmann, Malek, Moore, Olson, Phillips, Ripley, Sales, Taylor, Tropila, Vincent, Walker, Wanzenried, Wittich.

Total 20

Absent or not voting: None.

Total 0

Excused: None.

Total 0

Senator Jergeson excused at this time.

SENATE JOURNAL
SEVENTY-NINTH LEGISLATIVE DAY - APRIL 15, 2013

HB 16 - Senator Augare moved **HB 16** be concurred in. Motion carried as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Dick, Blewett, D. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jent, Jones, Kaufmann, Keane, Larsen, Lewis, Malek, Moore, Murphy, Peterson, Phillips, Sesso, Stewart-Peregoy, Taylor, Thomas, Tropila, Van Dyk, Vuckovich, Wanzenried, Windy Boy.

Total 32

Nays: Barrett Debby, Boulanger, Brenden, T. Brown, Jackson, Olson, Priest, Ripley, Rosendale, Sales, Sonju, Tutvedt, Vincent, Walker, Webb, Wittich, Mr. President.

Total 17

Absent or not voting: None.

Total 0

Excused: Jergeson.

Total 1

Senator Jergeson present at this time.

HB 505 - Senator Rosendale moved **HB 505** be concurred in. Motion **failed** as follows:

Yeas: Arntzen, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Fielder, Jackson, Jones, Keane, Lewis, Murphy, Ripley, Rosendale, Sales, Sonju, Taylor, Thomas, Vuckovich, Walker, Webb, Windy Boy, Mr. President.

Total 23

Nays: Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Caferro, Driscoll, Facey, Hamlett, Jent, Jergeson, Kaufmann, Larsen, Malek, Moore, Olson, Peterson, Phillips, Priest, Sesso, Stewart-Peregoy, Tropila, Tutvedt, Van Dyk, Vincent, Wanzenried, Wittich.

Total 27

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 505 - Senator Wittich moved **HB 505** be **indefinitely postponed**. Motion carried as follows:

Yeas: Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Caferro, Driscoll, Facey, Fielder, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Malek, Olson, Peterson, Phillips, Priest, Ripley, Sales, Sesso, Stewart-Peregoy, Tropila, Tutvedt, Van Dyk, Vincent, Wanzenried, Wittich, Mr. President.

SENATE JOURNAL
SEVENTY-NINTH LEGISLATIVE DAY - APRIL 15, 2013

Total 31

Nays: Arntzen, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Hamlett, Jackson, Lewis, Moore, Murphy, Rosendale, Sonju, Taylor, Thomas, Vuckovich, Walker, Webb, Windy Boy.
Total 19

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HB 87 - Senator Wanzenried moved **HB 87** be concurred in. Motion carried as follows:

Yeas: Augare, Barrett Dick, Blewett, T. Brown, Buttrey, Caferro, Driscoll, Facey, Hamlett, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Malek, Peterson, Phillips, Sesso, Stewart-Peregoy, Tropila, Tutvedt, Van Dyk, Vuckovich, Wanzenried, Windy Boy.
Total 26

Nays: Arntzen, Arthun, Barrett Debby, Boulanger, Brenden, D. Brown, Fielder, Jackson, Lewis, Moore, Murphy, Olson, Priest, Ripley, Rosendale, Sales, Sonju, Taylor, Thomas, Vincent, Walker, Webb, Wittich, Mr. President.
Total 24

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SR 63 - Senator Rosendale moved **SR 63** be adopted. Motion carried as follows:

Yeas: Arntzen, Arthun, Barrett Debby, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Fielder, Hamlett, Jackson, Jones, Lewis, Moore, Murphy, Olson, Peterson, Priest, Ripley, Rosendale, Sonju, Taylor, Thomas, Tutvedt, Vincent, Walker, Webb, Wittich, Mr. President.
Total 29

Nays: Augare, Barrett Dick, Blewett, Caferro, Driscoll, Facey, Jent, Jergeson, Kaufmann, Keane, Larsen, Malek, Phillips, Sales, Sesso, Stewart-Peregoy, Tropila, Van Dyk, Vuckovich, Wanzenried, Windy Boy.
Total 21

Absent or not voting: None.
Total 0

SENATE JOURNAL
SEVENTY-NINTH LEGISLATIVE DAY - APRIL 15, 2013

Excused: None.

Total 0

SB 31 - House Amendments - Senator Debby Barrett moved House amendments to **SB 31** be concurred in. Motion carried as follows:

Yeas: Arntzen, Arthun, Barrett Debby, Barrett Dick, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Fielder, Hamlett, Jackson, Jergeson, Jones, Keane, Larsen, Lewis, Moore, Murphy, Olson, Peterson, Priest, Ripley, Rosendale, Sales, Sesso, Sonju, Taylor, Thomas, Tutvedt, Vincent, Walker, Webb, Windy Boy, Wittich, Mr. President.

Total 36

Nays: Augare, Blewett, Caferro, Driscoll, Facey, Jent, Kaufmann, Malek, Phillips, Stewart-Peregoy, Tropila, Van Dyk, Vuckovich, Wanzenried.

Total 14

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 579 - Senator Buttrey moved **HB 579** be concurred in.

HB 579 - Senator Buttrey moved **HB 579**, second reading copy, be amended as follows:

1. Title, line 6.

Strike: "STRATEGIC AND"

2. Title, line 11.

Following: "APPROPRIATIONS;"

Insert: "CREATING A TASK FORCE FUND;"

3. Page 1, line 13 through line 20.

Strike: "WHEREAS" on line 13 through "commerce; and" on line 20

4. Page 1, line 22.

Following: "will put"

Insert: "veterans, military subcontracting businesses, and"

5. Page 1, line 23 through line 27.

Following: "future"

Strike: "; and" on line 23 through "implemented" on line 27

6. Page 2, line 1.

SENATE JOURNAL
SEVENTY-NINTH LEGISLATIVE DAY - APRIL 15, 2013

Strike: "STRATEGIC AND"

7. Page 2, line 2.

Strike: "STRATEGIC AND"

8. Page 2, line 3.

Strike: "SEVEN"

Insert: "four"

9. Page 2, line 4.

Strike: "UP TO THREE"

Insert: "two"

10. Page 2, line 18 through page 3, line 3.

Strike: subsection (b) in its entirety

Insert: "(b) The voting members must be as follows:

(i) a member representing the department of military affairs;

(ii) a member representing the business community as recommended by a statewide organization that represents Montana businesses;

(iii) a member representing veterans of the armed forces; and

(iv) a member representing the enlisted men and women of the armed forces as recommended by a statewide organization that represents the enlisted men and women of the armed forces."

11. Page 3, line 5.

Following: "senate;"

Insert: "and"

12. Page 3, line 6 through line 9.

Strike: ". " on line 6 through "PARTY" on line 9

13. Page 3, line 15.

Following: "2-18-503."

Insert: "The nonvoting legislative task force members are entitled to salary as provided in 5-2-302, and participation on the task force may be considered legislative business."

14. Page 3, lines 18 and 19.

Strike: "AND" on line 18 through "NATION" on line 19

15. Page 3, line 20.

Strike: "AND STRATEGIC"

16. Page 3, lines 25 and 26.

Strike: "AND" on line 25 through "ASSETS" on line 26

SENATE JOURNAL
SEVENTY-NINTH LEGISLATIVE DAY - APRIL 15, 2013

17. Page 3, line 27.

Strike: "develop a strategic"

18. Page 3, line 29.

Strike: "AND" through "DEFENSE"

19. Page 3, line 30.

Following: "to the"

Insert: "Montana congressional delegation, the"

20. Page 4, line 2.

Following: "duties;"

Insert: "and"

21. Page 4, line 3 through line 6.

Strike: subsection (f) in its entirety

Renumber: subsequent subsection

22. Page 4, line 11 through line 12.

Strike: "AND SUBMIT" on line 11 through "2013" on line 12

23. Page 4.

Following: line 12

Insert: "(7) The task force may apply for, accept, administer, and expend grants, gifts, and donations from any source for use in complying with the provisions of this section."

24. Page 4, line 15 through line 19.

Following: "commerce"

Strike: " ." on line 15 through "\$163,000" on line 19

Insert: "\$24,000"

25. Page 4.

Following: line 19

Insert: "NEW SECTION. Section 3. Military economic impact task force fund created -- source of funding -- use of fund. (1) There is an account in the state special revenue fund established by 17-2-102 to be known as the military economic impact task force fund.

(2) There must be deposited in the account money received by the department of commerce for the purpose of administering [section 1] and any grants, gifts, or donations received as provided in [section 1]."

26. Page 4, line 23.

Strike: "STRATEGIC AND"

27. Page 4, line 28.

SENATE JOURNAL
SEVENTY-NINTH LEGISLATIVE DAY - APRIL 15, 2013

Strike: "[Section 1] is"

Strike: "[Sections 1 and 3] are"

28. Page 4, line 29.

Strike: "[section 1]"

Insert: "[sections 1 and 3]"

Amendment adopted as follows:

Yeas: Arntzen, Arthun, Barrett Debby, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Fielder, Hamlett, Jackson, Jones, Larsen, Lewis, Moore, Olson, Peterson, Ripley, Rosendale, Sonju, Stewart-Peregoy, Taylor, Thomas, Tutvedt, Vincent, Walker, Webb, Windy Boy, Wittich, Mr. President.

Total 31

Nays: Augare, Barrett Dick, Blewett, Driscoll, Facey, Jent, Jergeson, Kaufmann, Keane, Malek, Murphy, Phillips, Priest, Sales, Sesso, Tropila, Van Dyk, Vuckovich, Wanzenried.

Total 19

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 579 - Senator Buttrey moved **HB 579**, as amended, be concurred in. Motion **failed** as follows:

Yeas: Arntzen, Arthun, Boulanger, Brenden, T. Brown, Buttrey, Caferro, Fielder, Jackson, Jones, Larsen, Olson, Peterson, Ripley, Rosendale, Sonju, Taylor, Thomas, Vincent.

Total 19

Nays: Augare, Barrett Debby, Barrett Dick, Blewett, D. Brown, Driscoll, Facey, Hamlett, Jent, Jergeson, Kaufmann, Keane, Lewis, Malek, Moore, Murphy, Phillips, Priest, Sales, Sesso, Stewart-Peregoy, Tropila, Tutvedt, Van Dyk, Vuckovich, Walker, Wanzenried, Webb, Windy Boy, Wittich, Mr. President.

Total 31

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 579 - Senator Wittich moved **HB 579** be **indefinitely postponed**. Motion carried as

SENATE JOURNAL
SEVENTY-NINTH LEGISLATIVE DAY - APRIL 15, 2013

follows:

Yeas: Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, D. Brown, Driscoll, Facey, Hamlett, Jent, Jergeson, Kaufmann, Keane, Larsen, Lewis, Malek, Murphy, Olson, Phillips, Priest, Ripley, Rosendale, Sales, Sonju, Stewart-Peregoy, Taylor, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Wanzenried, Windy Boy, Wittich, Mr. President.

Total 36

Nays: Arntzen, Boulanger, Brenden, T. Brown, Buttrey, Caferro, Fielder, Jackson, Jones, Moore, Peterson, Sesso, Thomas, Webb.

Total 14

Absent or not voting: None.

Total 0

Excused: None.

Total 0

Senator Sonju rose on a point of personal privilege.

Senator Debby Barrett rose on a point of personal privilege.

Senator Wanzenried excused at this time.

HB 415 - Senator L. Jones moved **HB 415** be concurred in. Motion carried as follows:

Yeas: Arntzen, Arthun, Barrett Dick, Blewett, Brenden, T. Brown, Buttrey, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Keane, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Priest, Ripley, Stewart-Peregoy, Thomas, Tropila, Tutvedt, Vuckovich, Walker, Windy Boy.

Total 33

Nays: Augare, Barrett Debby, Boulanger, D. Brown, Caferro, Kaufmann, Rosendale, Sales, Sesso, Sonju, Taylor, Van Dyk, Vincent, Webb, Wittich, Mr. President.

Total 16

Absent or not voting: None.

Total 0

Excused: Wanzenried.

Total 1

HB 604 - Senator Priest moved **HB 604** be concurred in. Motion carried as follows:

Yeas: Arntzen, Arthun, Barrett Debby, Boulanger, Brenden, D. Brown, T. Brown, Buttrey,

SENATE JOURNAL
SEVENTY-NINTH LEGISLATIVE DAY - APRIL 15, 2013

Fielder, Jackson, Jones, Lewis, Moore, Murphy, Olson, Peterson, Priest, Ripley, Rosendale, Sales, Sonju, Taylor, Thomas, Tutvedt, Vincent, Walker, Webb, Wittich, Mr. President.
Total 29

Nays: Augare, Barrett Dick, Blewett, Caferro, Driscoll, Facey, Hamlett, Jent, Jergeson, Kaufmann, Keane, Larsen, Malek, Phillips, Sesso, Stewart-Peregoy, Tropila, Van Dyk, Vuckovich, Windy Boy.
Total 20

Absent or not voting: None.
Total 0

Excused: Wanzenried.
Total 1

Senator Wanzenried present at this time.

HB 420 - Senator T. Brown moved **HB 420** be concurred in. Motion **failed** as follows:

Yeas: Arntzen, Barrett Debby, Blewett, Boulanger, D. Brown, Fielder, Hamlett, Moore, Olson, Ripley, Rosendale, Sales, Sonju, Thomas, Tropila, Vincent, Vuckovich, Walker, Wanzenried, Webb, Windy Boy, Wittich, Mr. President.
Total 23

Nays: Arthun, Augare, Barrett Dick, Brenden, T. Brown, Buttrey, Caferro, Driscoll, Facey, Jackson, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Lewis, Malek, Murphy, Peterson, Phillips, Priest, Sesso, Stewart-Peregoy, Taylor, Tutvedt, Van Dyk.
Total 27

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HB 420 - Senator Wittich moved **HB 420** be **indefinitely postponed**. Motion carried as follows:

Yeas: Arthun, Augare, Barrett Debby, Barrett Dick, Boulanger, Brenden, T. Brown, Buttrey, Caferro, Driscoll, Facey, Jackson, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Priest, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tutvedt, Van Dyk, Vincent, Webb, Wittich, Mr. President.
Total 37

Nays: Arntzen, Blewett, D. Brown, Fielder, Hamlett, Ripley, Rosendale, Sales, Tropila,

SENATE JOURNAL
SEVENTY-NINTH LEGISLATIVE DAY - APRIL 15, 2013

Vuckovich, Walker, Wanzenried, Windy Boy.

Total 13

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 447 - Senator Stewart-Peregoy moved **HB 447** be concurred in. Motion carried as follows:

Yeas: Arntzen, Augare, Barrett Debby, Barrett Dick, Blewett, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Priest, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tropila, Van Dyk, Vuckovich, Walker, Wanzenried, Windy Boy, Wittich, Mr. President.

Total 43

Nays: Arthun, Ripley, Rosendale, Sales, Tutvedt, Vincent, Webb.

Total 7

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 5 - Senator Lewis moved **HB 5** be concurred in.

HB 5 - Senator Lewis moved **HB 5**, second reading copy, be amended as follows:

1. Page 4, line 15.

Following: line 14

Insert: "Construct Science and Instructional Tech Building Addition, MSU-Billings

10,000,000 [LRBP] 5,000,000 [Authority] 15,000,000" [Total]

Construct Missoula College UM, UM-Missoula

29,000,000 [LRBP] 3,000,000 [Authority] 32,000,000 [Total]"

2. Page 10, line 8.

Strike: "\$9,800,000"

Insert: "\$48,800,000"

HB 5 - Senator Wanzenried moved to divide the question. The Senate stood at ease for a short time to discuss rules related to the motion. Senator Wanzenried withdrew his motion.

SENATE JOURNAL
SEVENTY-NINTH LEGISLATIVE DAY - APRIL 15, 2013

HB 5 - Senator Lewis moved consideration of **HB 5** be placed at the bottom of the second reading board for the purpose of preparing an amendment. Without objection, so ordered.

Senators Buttrey, Fielder, and Vincent excused.

HB 6 - Senator Ripley moved **HB 6** be concurred in. Motion carried as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Boulanger, Brenden, D. Brown, T. Brown, Caferro, Driscoll, Facey, Hamlett, Jackson, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Priest, Ripley, Rosendale, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vuckovich, Wanzenried, Webb, Windy Boy, Wittich, Mr. President.

Total 45

Nays: Sales, Walker.

Total 2

Absent or not voting: None.

Total 0

Excused: Buttrey, Fielder, Vincent.

Total 3

HB 13 - Senator Olson moved consideration of **HB 13** be placed at the bottom of the second reading board. Without objection, so ordered.

All Senators present at this time.

HB 580 - Senator Hamlett moved **HB 580** be concurred in. Motion carried as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Priest, Ripley, Rosendale, Sales, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Wanzenried, Webb, Windy Boy, Wittich, Mr. President.

Total 50

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: None.

SENATE JOURNAL
SEVENTY-NINTH LEGISLATIVE DAY - APRIL 15, 2013

Total 0

HB 627 - Senator Buttrey moved **HB 627** be concurred in. Motion **failed** as follows:

Yeas: Arntzen, Arthun, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Fielder, Jackson, Jones, Lewis, Murphy, Olson, Peterson, Ripley, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Windy Boy.

Total 21

Nays: Augare, Barrett Debby, Barrett Dick, Blewett, Caferro, Driscoll, Facey, Hamlett, Jent, Jergeson, Kaufmann, Keane, Larsen, Malek, Moore, Phillips, Priest, Rosendale, Sales, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Wanzenried, Webb, Wittich, Mr. President.

Total 29

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 627 - Senator Wittich moved **HB 627** be **indefinitely postponed**. Motion carried as follows:

Yeas: Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Boulanger, D. Brown, Caferro, Driscoll, Facey, Fielder, Hamlett, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Lewis, Malek, Moore, Murphy, Olson, Phillips, Priest, Rosendale, Sales, Sesso, Sonju, Taylor, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Wanzenried, Webb, Wittich, Mr. President.

Total 40

Nays: Arntzen, Brenden, T. Brown, Buttrey, Jackson, Peterson, Ripley, Stewart-Peregoy, Thomas, Windy Boy.

Total 10

Absent or not voting: None.

Total 0

Excused: None.

Total 0

Senator Wittich moved the committee **rise, report progress, and beg leave to sit again**. Motion carried. Committee arose. Senate resumed. President Essmann presiding. Chair D. Brown moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson,

SENATE JOURNAL
SEVENTY-NINTH LEGISLATIVE DAY - APRIL 15, 2013

Jones, Kaufmann, Keane, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Priest, Ripley, Rosendale, Sales, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Wanzenried, Webb, Wittich, Mr. President.
Total 49

Nays: Windy Boy.
Total 1

Absent or not voting: None.
Total 0

Excused: None.
Total 0

REPORTS OF STANDING COMMITTEES

BUSINESS, LABOR, AND ECONOMIC AFFAIRS (Sonju, Chair): 4/15/2013
SJR 32, do pass. Report adopted.
HB 614, be concurred in. Report adopted.

TAXATION (Tutvedt, Chair): 4/15/2013
HB 408, be amended as follows:

1. Page 10, line 3.

Strike: "year"

Insert: "years"

Following: "2013"

Insert: "and 2014"

2. Page 10, line 4.

Strike: subsection (ii) in its entirety

Renumber: subsequent subsections

And, as amended, be concurred in. Report adopted.

Senate recessed at 3:50 p.m. and reconvened at 4:00 p.m.

Roll Call. All members present, except Senator Facey, excused. Quorum present.

SENATE JOURNAL
SEVENTY-NINTH LEGISLATIVE DAY - APRIL 15, 2013

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Senator Wittich moved the Senate resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Senator D. Brown in the chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

Senator Facey present at this time.

HB 5 - Senator Lewis moved **HB 5** be concurred in.

HB 5 - Senator Lewis moved **HB 5**, second reading copy, be amended as follows (5-001):

1. Page 4, line 15.

Following: line 14

Insert: "Construct Science and Instructional Tech Building Addition, MSU-Billings

10,000,000 [LRBP] 5,000,000 [Authority] 15,000,000" [Total]

Construct Missoula College UM, UM-Missoula

29,000,000 [LRBP] 3,000,000 [Authority] 32,000,000 [Total]"

2. Page 10, line 8.

Strike: "\$9,800,000"

Insert: "\$48,800,000"

Amendment adopted as follows:

Yeas: Arntzen, Augare, Barrett Debby, Barrett Dick, Blewett, T. Brown, Driscoll, Facey, Fielder, Hamlett, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Lewis, Malek, Olson, Peterson, Phillips, Sesso, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vuckovich, Webb, Windy Boy, Mr. President.

Total 32

Nays: Arthun, Boulanger, Brenden, D. Brown, Buttrey, Caferro, Jackson, Moore, Murphy, Priest, Ripley, Rosendale, Sales, Sonju, Vincent, Walker, Wanzenried, Wittich.

Total 18

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 5 - Senator Tropila moved **HB 5**, second reading copy, be further amended as follows (5-

SENATE JOURNAL
SEVENTY-NINTH LEGISLATIVE DAY - APRIL 15, 2013

002):

1. Page 8, line 3.

Following: "appropriations."

Insert: "(1)"

2. Page 8, line 13.

Insert: "(2) The following funds in the indicated amounts are appropriated to the Montana university system for the purpose of land acquisition. The state may not enter into an agreement for the acquisition of land until the authority-only funds have been obtained.

Land Acquisition, Great Falls College-MSU

750,000 [LRBP] 750,000 [Authority] 1,500,000 [Total]"

3. Page 10, line 8.

Strike: "\$9,800,000"

Insert: "\$10,550,000"

Amendment adopted as follows:

Yeas: Augare, Barrett Dick, Blewett, Caferro, Driscoll, Facey, Hamlett, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Malek, Murphy, Peterson, Phillips, Ripley, Sesso, Stewart-Peregoy, Thomas, Tropila, Tutvedt, Van Dyk, Vuckovich, Wanzenried, Windy Boy.
Total 27

Nays: Arntzen, Arthun, Barrett Debby, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Fielder, Jackson, Lewis, Moore, Olson, Priest, Rosendale, Sales, Sonju, Taylor, Vincent, Walker, Webb, Wittich, Mr. President.
Total 23

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 5 - Senator Van Dyk moved **HB 5**, second reading copy, be further amended as follows (5-003):

1. Page 8, line 5 through line 6.

Strike: "MAY CONSIDER ONLY"

Insert: "shall give first consideration to"

Following: "ACQUISITIONS" on line 6

Insert: ", second consideration to perpetual conservation easements, and third consideration to fee title acquisitions"

SENATE JOURNAL
SEVENTY-NINTH LEGISLATIVE DAY - APRIL 15, 2013

Amendment **not** adopted as follows:

Yeas: Augare, Barrett Dick, Blewett, T. Brown, Caferro, Driscoll, Facey, Hamlett, Jent, Jergeson, Kaufmann, Keane, Larsen, Malek, Phillips, Sesso, Stewart-Peregoy, Tropila, Van Dyk, Vuckovich, Wanzenried, Windy Boy, Wittich.
Total 23

Nays: Arntzen, Arthun, Barrett Debby, Boulanger, Brenden, D. Brown, Buttrey, Fielder, Jackson, Jones, Lewis, Moore, Murphy, Olson, Peterson, Priest, Ripley, Rosendale, Sales, Sonju, Taylor, Thomas, Tutvedt, Vincent, Walker, Webb, Mr. President.
Total 27

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HB 5 - Senator Kaufmann moved **HB 5**, second reading copy, be further amended as follows (5-004):

1. Page 3, line 21.

Following: line 20

Insert: "MONTANA HISTORICAL SOCIETY

Construct Montana Heritage Center, Helena 23,000,000 [LRBP] 23,000,000 [Total]"

2. Page 10, line 8.

Strike: "\$9,800,000"

Insert: "\$32,800,000"

Amendment **not** adopted as follows:

Yeas: Augare, Barrett Dick, Blewett, Caferro, Driscoll, Facey, Hamlett, Jent, Jergeson, Kaufmann, Keane, Larsen, Malek, Peterson, Phillips, Sesso, Stewart-Peregoy, Tropila, Van Dyk, Vuckovich, Wanzenried, Windy Boy.
Total 22

Nays: Arntzen, Arthun, Barrett Debby, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Fielder, Jackson, Jones, Lewis, Moore, Murphy, Olson, Priest, Ripley, Rosendale, Sales, Sonju, Taylor, Thomas, Tutvedt, Vincent, Walker, Webb, Wittich, Mr. President.
Total 28

Absent or not voting: None.
Total 0

SENATE JOURNAL
SEVENTY-NINTH LEGISLATIVE DAY - APRIL 15, 2013

Excused: None.

Total 0

HB 5 - Senator Sesso moved **HB 5**, second reading copy, be further amended with parts 6 and 7 of amendment HB 5-005. Parts 1 through 5, and Parts 8 through 10 of amendment HB 5-005 were excluded from Senator Sesso's motion.

1. Page 1, line 12.

Strike: "10"

Insert: "12"

2. Page 1, line 17.

Strike: "10"

Insert: "12"

3. Page 3, line 21.

Following: line 20

Insert: "MONTANA HISTORICAL SOCIETY

Construct Montana Heritage Center, Helena 23,000,000 [LRBP] 23,000,000 [Total]"

4. Page 4, line 15.

Following: line 14

Insert: "Renovate Romney Hall Classrooms, MSU-Bozeman 20,000,000 [LRBP] 5,000,000
[Authority] 25,000,000 [Total]"

Construct Science and Instructional Tech Building Addition, MSU-Billings

10,000,000 [LRBP] 5,000,000 [Authority] 15,000,000" [Total]

Construct Missoula College UM, UM-Missoula 29,000,000 [LRBP] 3,000,000 [Authority]

32,000,000 [Total]"

5. Page 8, line 5 through line 6.

Strike: "MAY CONSIDER ONLY"

Insert: "shall give first consideration to"

Following: "ACQUISITIONS" on line 6

Insert: ", second consideration to perpetual conservation easements, and third consideration to fee title acquisitions"

6. Page 8, line 17.

Insert: "NEW SECTION. Section 5. Transfer of appropriations. Except for the department of fish, wildlife, and parks grant to the city of Missoula, the department of fish, wildlife, and parks and the department of transportation are authorized to transfer the appropriations and authority in [sections 3 and 4] as appropriate, among the necessary fund types for these projects."

Renumber: subsequent sections

7. Page 10, line 7.

SENATE JOURNAL
SEVENTY-NINTH LEGISLATIVE DAY - APRIL 15, 2013

Insert: "NEW SECTION. Section 10. Capital project grants to local governments -- appropriations. (1) Effective July 1, 2013, the following amounts are appropriated to the department of commerce from the general fund:

 (a) \$403,240 for a grant of up to \$403,240 to the city of Browning for construction of the Browning fire hall; and

 (b) \$2 million for a grant of up to \$2 million to the city of Kalispell for capital improvements to the kidsports complex.

 (2) Funds are restricted to use for the projects and are payable as reimbursements.

 (3) The department may adopt rules for the distribution of these funds.

 (4) The department shall report on the progress on the projects to the 2015 long-range planning subcommittee.

 (5) Any funds not required for the completion of these projects must revert to the general fund upon completion of the projects."

Renumber: subsequent sections

8. Page 10, line 8.

Strike: "\$9,800,000"

Insert: "\$91,800,000"

9. Page 10, line 11.

Strike: "9"

Insert: "11"

10. Page 10, line 12.

Strike: "9"

Insert: "11"

Amendment **not** adopted as follows:

Yeas: Augare, Barrett Dick, Blewett, Buttrey, Caferro, Driscoll, Facey, Hamlett, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Malek, Phillips, Sesso, Sonju, Stewart-Peregoy, Tropila, Tutvedt, Van Dyk, Vuckovich, Wanzenried, Windy Boy.

Total 25

Nays: Arntzen, Arthun, Barrett Debby, Boulanger, Brenden, D. Brown, T. Brown, Fielder, Jackson, Lewis, Moore, Murphy, Olson, Peterson, Priest, Ripley, Rosendale, Sales, Taylor, Thomas, Vincent, Walker, Webb, Wittich, Mr. President.

Total 25

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SENATE JOURNAL
SEVENTY-NINTH LEGISLATIVE DAY - APRIL 15, 2013

HB 5 - Senator Hamlett moved **HB 5**, second reading copy, be further amended as follows (5-006):

1. Page 4, line 4.

Following: "ROOF"

Insert: "or other renovations"

Amendment adopted as follows:

Yeas: Arthun, Augare, Barrett Dick, Blewett, T. Brown, Buttrey, Caferro, Driscoll, Hamlett, Jent, Jergeson, Kaufmann, Keane, Larsen, Lewis, Malek, Murphy, Olson, Peterson, Phillips, Sesso, Sonju, Stewart-Peregoy, Thomas, Tropila, Van Dyk, Vuckovich, Wanzenried, Windy Boy.
Total 29

Nays: Arntzen, Barrett Debby, Boulanger, Brenden, D. Brown, Fielder, Jackson, Jones, Moore, Priest, Ripley, Rosendale, Sales, Taylor, Tutvedt, Vincent, Walker, Webb, Wittich, Mr. President.
Total 20

Absent or not voting: None.
Total 0

Excused: Facey.
Total 1

HB 5 - Senator Lewis moved **HB 5**, as amended, be concurred in. Motion carried as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, T. Brown, Buttrey, Caferro, Driscoll, Facey, Hamlett, Jergeson, Jones, Kaufmann, Keane, Larsen, Lewis, Malek, Murphy, Olson, Peterson, Phillips, Sesso, Stewart-Peregoy, Thomas, Tropila, Tutvedt, Vuckovich, Windy Boy, Mr. President.
Total 31

Nays: Boulanger, Brenden, D. Brown, Fielder, Jackson, Jent, Moore, Priest, Ripley, Rosendale, Sales, Sonju, Taylor, Van Dyk, Vincent, Walker, Wanzenried, Webb, Wittich.
Total 19

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SENATE JOURNAL
SEVENTY-NINTH LEGISLATIVE DAY - APRIL 15, 2013

HB 13 - Senator Olson moved **HB 13** be concurred in.

HB 13 - Senator Sesso moved **HB 13**, second reading copy, be amended as follows:

1. Title, page 1, line 9 through line 10.

Strike: "REQUIRING" on line 9 through "INCREASES;" on line 10

2. Title, page 1, line 10.

Strike: "2-18-301,"

3. Page 1, line 15 through page 2, line 18.

Strike: section 1 in its entirety

Renumber: subsequent sections

4. Page 3, line 2 through line 5.

Strike: "FUNDS" on line 2 through "2011." on line 5

Insert: "Funds appropriated under [section 3(1)] must be used to increase the base pay for each employee and must be distributed equitably among employees, including those subject to the provisions of Title 39, chapter 31."

5. Page 5, line 19.

Following: "2-18-303"

Insert: "and 2-18-703"

6. Page 5, line 24.

Strike: "\$397,735 \$52,500"

Insert: "\$410,598" [General Fund]

7. Page 5, line 27.

Strike: "\$18,922"

Insert: "\$22,861"

8. Page 5, line 30.

Strike: "\$859,838 \$50,113 \$1,821"

Insert: "\$829,216 \$72,678 \$2,063"

9. Page 6, line 3.

Strike: "\$9,060,825 \$7,918,525 \$5,737,675 \$2,049,016"

Insert: "\$10,903,219 \$10,084,291 \$6,229,992 \$210,236"

10. Page 6, line 6.

Strike: "\$6,665,150 \$3,703 \$157,792 \$2,437"

Insert: "\$7,068,520 \$4,460 \$185,474, \$2,610"

11. Page 6, line 9.

SENATE JOURNAL
SEVENTY-NINTH LEGISLATIVE DAY - APRIL 15, 2013

Strike: "\$16,983,548 \$8,043,763 \$5,897,289 \$2,051,453"
Insert: "\$19,211,553 \$10,184,290 \$6,417,529 \$212,846"

12. Page 6, line 14.

Strike: "\$808,775 \$142,820"
Insert: "\$1,018,198" [General Fund]

13. Page 6, line 17.

Strike: "\$51,293"
Insert: "\$56,387"

14. Page 6, line 20.

Strike: "\$2,360,621 \$137,768 \$5,008"
Insert: "\$2,116,203 \$182,159 \$5,169"

15. Page 6, line 23.

Strike: "\$20,939,617 \$19,036,495 \$14,600,371 \$5,265,622"
Insert: "\$27,586,329 \$25,352,243 \$15,696,936 \$530,497"

16. Page 6, line 26.

Strike: "\$16,907,439 \$10,373 \$441,075 \$6,715"
Insert: "\$15,314,286 \$10,134 \$424,036 \$6,075"

17. Page 6, line 29.

Strike: "\$41,016,452 \$19,378,749 \$15,046,453 \$5,272,336"
Insert: "\$46,035,016 \$25,600,923 \$16,126,141 \$536,572"

18. Page 7, line 10 through line 11.

Strike: subsection (3) in its entirety
Renumber: subsequent subsections

19. Page 7, line 18 through line 21.

Strike: section 5 in its entirety
Renumber: subsequent sections

Amendment **not** adopted as follows:

Yeas: Augare, Barrett Dick, Blewett, Caferro, Driscoll, Facey, Hamlett, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Malek, Phillips, Sesso, Stewart-Peregoy, Tropila, Van Dyk, Vuckovich, Wanzenried, Windy Boy.
Total 22

Nays: Arntzen, Arthun, Barrett Debby, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Fielder, Jackson, Lewis, Moore, Murphy, Olson, Peterson, Priest, Ripley, Rosendale, Sales, Sonju, Taylor, Thomas, Tutvedt, Vincent, Walker, Webb, Wittich, Mr. President.

SENATE JOURNAL
SEVENTY-NINTH LEGISLATIVE DAY - APRIL 15, 2013

Total 28

Absent or not voting: None.

Total 0

Excused: None.

Total 0

Senator Lewis and Senator Wanzenried excused at this time.

HB 13 - Thereupon, the Senate reverted to the original motion of Senator Olson which passed as follows:

Yeas: Arntzen, Augare, Barrett Debby, Barrett Dick, Blewett, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Hamlett, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Malek, Murphy, Olson, Peterson, Phillips, Ripley, Sesso, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vuckovich, Wanzenried, Windy Boy, Mr. President.

Total 36

Nays: Arthun, Boulanger, Fielder, Jackson, Moore, Priest, Rosendale, Sales, Sonju, Vincent, Walker, Webb, Wittich.

Total 13

Absent or not voting: None.

Total 0

Excused: Lewis.

Total 1

Senator Wanzenried present at this time.

Senator Brenden excused at this time.

Senator Wittich moved the committee **rise and report**. Motion carried. Committee arose. Senate resumed. President Essmann presiding. Chair D. Brown moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Boulanger, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Malek, Murphy, Olson, Peterson, Phillips, Priest, Ripley, Sesso, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vuckovich, Windy Boy, Mr. President.

Total 39

SENATE JOURNAL
SEVENTY-NINTH LEGISLATIVE DAY - APRIL 15, 2013

Nays: Moore, Rosendale, Sales, Sonju, Vincent, Walker, Wanzenried, Webb, Wittich.
Total 9

Absent or not voting: None.
Total 0

Excused: Brenden, Lewis.
Total 2

MOTIONS

Senator Jergeson moved to change his second-reading vote on **HB 6** from Excused to Yes.
Without objection, so ordered.

Senator Wanzenried moved to change his second-reading vote on **HB 13** from Excused to Yes.
Without objection, so ordered.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Wittich moved that the Senate adjourn until 12:00 p.m., Tuesday, April 16, 2013, the eightieth legislative day. Motion carried.

Senate adjourned at 5:42 p.m.

MARILYN MILLER
Secretary of the Senate

JEFF ESSMANN
President of the Senate